

MINUTES

**MONTANA SENATE
56th LEGISLATURE - REGULAR SESSION
COMMITTEE ON BUSINESS AND INDUSTRY**

Call to Order: By **CHAIRMAN JOHN HERTEL**, on March 24, 1999 at
9:00 A.M., in Room 410 Capitol.

ROLL CALL

Members Present:

Sen. John Hertel, Chairman (R)
Sen. Mike Sprague, Vice Chairman (R)
Sen. Dale Berry (R)
Sen. Vicki Cocchiarella (D)
Sen. Bea McCarthy (D)
Sen. Glenn Roush (D)
Sen. Fred Thomas (R)

Members Excused: None.

Members Absent: None.

Staff Present: Bart Campbell, Legislative Branch
Mary Gay Wells, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB 277, 3/10/1999
HJR 6, 3/10/1999
HJR 15, 3/10/1999
HJR 24, 3/10/1999
HJR 32, 3/10/1999
Executive Action: HB 504; HB 337; HB 277
HJR 6; HJR 15; HJR 24
HJR 32

{Tape : 1; Side : A; Approx. Time Counter : 0}

HEARING ON HB 277

Sponsor: REP. ROBERT "BOB" PAVLOVICH, HD 37, BUTTE

Proponents: Mark Staples, MT Chiropractic Assoc.

Opponents: None

Opening Statement by Sponsor:

REP. ROBERT "BOB" PAVLOVICH, HD 37, BUTTE. This is a housekeeping bill for the chiropractors. We have no reciprocity with other states for chiropractors. If other chiropractors come into our state, they have to meet our qualifications. There is a Section 37-1-304 which is a general licensing provision for all professional boards in Montana. It allows the boards to issue a license to practice without examination but only if the applicant comes from a state whose standards are substantially equivalent to or greater than the standards in this state. Section 37-12-305 should have been repealed when Section 37-1-304 was enacted. Section 304 takes care of section 305. Thank you.

Proponents' Testimony:

Mark Staples, MT Chiropractic Assoc. This is a repealer. The old law said that chiropractors licensed under the laws of any other state having similar educational requirements would be allowed to practice in Montana. If the board would determine that the other state's licensing standards at the time of application are substantially equivalent, they could grant a license. Therefore, 37-1-304 should have repealed 37-12-305. It didn't and this bill does.

Opponents' Testimony: None

Questions from Committee Members and Responses:

SEN. BERRY asked Mr. Staples if the applicants would be approved by the board. Mr. Staples said that it is a standardized, nationwide test for chiropractors. However, there are some states that do not make their applicants take as many parts of it as Montana does. As the old law is written, one could say "education requirements" and the reply could be "well, I went to a chiropractic school and you should let me in." This bill says that the person would have to have the same standards. If a person had taken part I, and Montana requires parts II and III, then the person would have to take the other two parts of the examination.

Closing by Sponsor:

REP. PAVLOVICH closed. **SEN. MCCARTHY** will carry the bill on the Senate Floor.

{Tape : 1; Side : A; Approx. Time Counter : 4}

HEARING ON HJR 6

Sponsor: **REP. DOUG MOOD, HD 58, SEELEY LAKE**

Proponents: **Andy Poole, Department of Commerce**

Opponents: **None**

Opening Statement by Sponsor:

REP. DOUG MOOD, HD 58, SEELEY LAKE. I bring **HJR 6** today. It was brought to the attention of the Joint Select Committee of Jobs and Income that the Coal Trust Fund has the statutory prerogative to invest up to 25% of those deposits within the State of Montana. Based upon the current value of the Trust, approximately \$150 million can, by law, be invested in Montana companies. The latest annual report for the Board of Investments shows only 16.3% of the Coal Tax Trust Fund was invested in Montana businesses. Analysis of the portfolio shows that over time only 5-10% of the commercial loans were to manufacturing businesses within the state. The resolution acknowledges that this has been the case and encourages the Board of Investments to invest the full 25% within the state. It does not lower the bar with the requirements for those loans and would still have to meet the requirements of the Board. This would improve the jobs here in Montana.

Proponents' Testimony:

Andy Poole, Department of Commerce. This issue was brought to the Board of Investments several months ago. In looking at the information they have before them, the Board considers this something that is important to Montana. They are serious in trying to invest more money in Montana. There is the ability to, as **REP. MOOD** indicated, invest up to 25% of the Coal Tax Trust Fund in Montana. The Board has never achieved that goal, but with the new emphasis on jobs and income in Montana, the Board has taken another look at that and is very serious about investing more in Montana for Montanans. On behalf of the Department of Commerce and the Board of Investments, we are proponents of this joint resolution. Thank you.

Opponents' Testimony: None

Questions from Committee Members and Responses:

SEN. MCCARTHY asked **Andy Poole** the reason that the Board had not invested up to the full 25% allowed. **Mr. Poole** said there were a couple of issues involved. One is they found it easier to invest in companies and entities residing out of the state. They realize the importance of investing in Montana while keeping in mind they are not looking for the high risk. They need to make the banks in Montana and businesses in Montana aware that this program exists. That is one of the primary things the Board is going to undertake over the next two years. The other issue in play is the significant amount of money the Board is investing in Montana, about \$100 million currently. As loans are paid off, they need to invest \$4 to \$5 million a year in Montana just to stay even with where they are. Between the payoffs and the marketing programs they currently have, they are going to put a push on to invest more in Montana businesses.

SEN. SPRAGUE asked **Mr. Poole** about the marketing aspect. What kinds of business do you think will be the main focus: manufacturing jobs or other kinds. **Mr. Poole** said that what the Board of Investments will be focusing on are companies that will employ a number of employees that will work in manufacturing and other sectors of the economy that are willing to create jobs that pay good wages. **SEN. SPRAGUE** asked if the development of a Foreign Capital Depository which, would bring in high quality and high paying jobs, would that be the kind of entity that the Board would look at. **Mr. Poole** said that anything within reason would be possible and the Board should be willing to look at that possibility. Given their attitude now and what is being done toward the Foreign Capital Depository, anything within reason would be considered. Their intention is to get the Congressional delegation involved to make sure there is not a problem with the Foreign Capital Depository as far as federal law is concerned.

Closing by Sponsor:

REP. MOOD closed. Briefly, the existence of the resolution has influenced the Board of Investments to look more closely to investing more in Montana. **SEN. TESTER** will carry the bill on the Senate Floor.

{Tape : 1; Side : A; Approx. Time Counter : 11.9}

HEARING ON HJR 15

Sponsor: REP. JAY STOVALL, HD 16, BILLINGS

Proponents: Gary Blair, Retired, Air Force Major General.
Andy Poole, Department of Commerce

Opponents: None

Opening Statement by Sponsor:

REP. JAY STOVALL, HD 16, BILLINGS. I bring you this morning **HJR 15.** This will encourage the location of VentureStar, a space related business system, in Montana and welcome Lockheed Martin, their partners and other space related industries to Montana. Many of you have heard about this project. It is a project that could be the answer to our economic woes in Montana. It is an important resolution.

Proponents' Testimony:

Gary Blair, Retired, Air Force Major General. I've been told a good resolution has at least eight "whereas" and this one has nineteen. It must be good. The second whereas "Lockheed Martin and its partners, including NASA, have embarked on a bold new venture to produce and operate the VentureStar spaceplane, which will change how we travel to and from space" is a statement that I honestly believe will happen and change the world. Montana's northern latitude and elevation is ideal for launches which are about 45 degrees inclination to the International Space Station (ISS) and other Low Earth Orbits (LEO) including polar. What is anticipated now because of the northern latitude and elevation are about 40 to 45 launches, initially, will occur.

The difference between Cape Kennedy, California and Montana going to the ISS is that it will take less fuel to push a payload. There are two parts of the ISS which have been put together and put into orbit. It circles the earth every 92 minutes and contains six laboratories. There is a consortium of sixteen countries which is the largest endeavor in the history of mankind that is behind this project. The savings of using less fuel have been estimated about \$10 million a launch and could go as high as \$20 million. At 40 launches a year, that would be tremendous savings. Montana has a lack of population which is necessary. Also, there would be a good workforce available. This would help our young people who feel they have to leave the state to get a good job and one that is in their field.

Another whereas, "the current fleet of American spacelift vehicles is expensive to operate and maintain and other countries have reduced the cost per pound to orbit to a cost that is below

that of American providers" really means that 70% of the lift of satellites right now is done in foreign countries. We need to get back into that and VentureStar will do that. It will not only take things into space but will bring things back from space. This would recapture that entire market. Current space shuttle does not have the lift capacity to take care of ISS once it is up and running. The space shuttle is going through some serious parts problems and they have had to go to museums to take off parts to be used on the current shuttles basically because of the cost.

It is here and now and is going to happen. I believe Montana has a tremendous shot at this because of elevation and latitude. The resolution says, "Be it further resolved: That the people of Montana welcome Lockheed Martin, Sverdrup, Allied Signal, Boeing, BF Goodrich Aerospace, NASA, Skunk Works, the 15 nations of the International Space Station Consortium, and VentureStar as partners and family to their 21st Century home, Montana. This is important to those folks to know that Montanans welcome them here for this venture. I would like to hand to you a brochure on VentureStar **EXHIBIT (bus66a01)**. Thank you for your time.

Andy Poole, Department of Commerce. We have been involved in the VentureStar process along with other private entities in Montana for the last few months in trying to convince Lockheed Martin that Montana is a good location for VentureStar. As you have heard, there are a number of reasons that Montana would be a good location. The information that has been received from Lockheed Martin conservatively estimates there would be 400 direct jobs and these would be very good jobs. Then other companies involved in the project would be located here and involve another 2500 to 3000 additional jobs. That doesn't even address the revenue that would come into the main street businesses. This is a terrific opportunity for Montana and could change the nature of our economy. Everyone realizes that the per capita income and the average annual wage is not the best. This could change that. We support this resolution. Thank you.

Gary Blair remembered a couple of more facts. Idaho is Montana's strongest competitor for VentureStar. Florida feels that an up and running or mature space port would bring to Florida in excess of \$20 billion a year. Idaho estimates that the satellite business today is a \$77 billion a year industry. They hope to capture a large percentage of that. I think and hope that we can too.

Opponents' Testimony: None

Questions from Committee Members and Responses:

SEN. COCCHIARELLA asked who are Skunk Works. **Mr. Blair** said it is a name of a research/manufacturing facility at Palmdale, CA. It has been in existence since World War II. It has that name because there was a smell when they moved out there. They built aircraft like the F-80, U-2, etc. It is probably the premier, leading-edge aircraft developer facility in the U.S. Affectionately, they called it Skunk Works. That logo is on tee shirts, etc. **SEN. COCCHIARELLA** asked for a brief update on what the status might be in this competition. **Mr. Blair** said that in the next three months, Lockheed Martin will visit all the sites that have put in RFQ's, Request For Qualifications. It is in 15 states, 31 sites. In Montana there are four sites. At the end of that time, in Montana, there will be one site that is selected based on the sites, the Governor, the senators and the Department of Commerce agreeing. Our limited resources can then be applied to just one of the sites. A team will come with our RFQ which is 60 pages long and describes why there should be a site here in Montana. After that, a selection will be made. A Request for Proposal (RFP) will be issued. That proposal will not be required by Lockheed Martin until mid to late 2000.

{Tape : 1; Side : A; Approx. Time Counter : 21.9}

SEN. COCCHIARELLA asked about the hurdles that Montana has to overcome. One of the problems that might be faced has to do with the EIS, Environmental Impact Statement, process that could hold this up. **Mr. Blair** said that Montana has fewer environmental problems than the other states. The sites that are being looked at are basically environmentally clean other than Malmstrom AFB. That base is a repository for a lot of nuclear weapons. There is an advantage here in Montana because of EIS. Hardin is very clean as is Glasgow. It is the cost, though. Regardless of what is done, just the boiler-plating that goes into an EIS can be \$1.5 million. Idaho, our strongest competitor, has some tremendous environmental problems. The problem Montana might have is the money to pay for it. But that seems to be fairly well covered.

SEN. ROUSH asked how many acres of ground would be needed. **Mr. Blair** said the acreage that is needed includes ground for safety. When a vehicle goes up, it requires, as it is refueling, a three mile radius. When it lifts off for 100 seconds, that area goes to a five mile radius. This means there should be nothing within a five mile radius of the launch. There are two of these together. That is five miles plus five miles plus five miles. That is 15 miles by five miles. That is 75 square miles. That is 48,000 acres. It could be farmed. But no activity would be allowed. The next important feature is noise. It produces in

excess of 3 to 4 million pounds of thrust. That means people cannot get very close to the launch site.

SEN. ROUSH asked about page 2, line 18, and the funds managed by the Montana Board of Investments, etc. to help support this project. **Mr. Blair** said the project is estimated to cost between \$500 and \$800 million. In addition to that are the other companies that come. These figures have not been totally studied because whoever gets this project, there will be enough capital that the state will not have to worry about it. The investment for Montana which is a risk, has to be as free a risk as possible.

SEN. ROUSH said he was supportive of the project but is the legislature next session going to be asked to put a lot of money into this project to keep it here. **Mr. Blair** said that has not been the case and is something no one wants or plans on. A problem might be personal income tax. Most of the high skilled employees being in the \$65,000 plus area would have a high personal income tax. But the pluses are good.

{Tape : 1; Side : A; Approx. Time Counter : 30.5}

Closing by Sponsor:

REP. STOVALL closed. I feel that the prospects of VentureStar are intriguing and exciting. I do believe that Montana has an excellent chance of getting the contract. **SEN. SPRAGUE** will carry the bill on the Senate Floor.

{Tape : 1; Side : A; Approx. Time Counter : 34.6}

HEARING ON HJR 24

Sponsor: **REP. CAROL JUNEAU, HD 85, BROWNING**

Proponents: **REP. JAY STOVALL, HD 16, BILLINGS**
REP. FRANK SMITH, HD 98 POPLAR
Andy Poole, Department of Commerce
Steve Bullock, Department of Justice

Opponents: **None**

Opening Statement by Sponsor:

REP. CAROL JUNEAU, HD 85, BROWNING. This resolution encourages Governor Racicot and the Department of Commerce to include representation from the Montana tribal communities on trade

missions and boards and commissions that promote Montana's growth and development. I would like to hand out a copy of the Governor's proclamation and letters of support **EXHIBIT (bus66a02)**. This was an issue as far as including tribal representation on trade missions of the state. One of the rolls of the Department of Commerce is to provide coordinating services to help state, local groups and Indian Tribal Governments in the promotion of new economic enterprises. They also serve as the state's official liaison. There are statutes currently that support this resolution. We have all talked about economic development and we have just heard of a huge project that will be so successful if Montana is chosen. These goals are tribal goals as well as they are state goals. We need economic development, jobs, businesses, etc. It is important for the tribes to work cooperatively with the state on these issues. When the condition of the tribes improves, the state improves. Concerning trade missions, tourism is always a big issue. Come visit Montana, etc. and Indian people are a part of the draw. We can be a benefit to Montana if we would be included in these trade missions. I encourage you to vote yes on this resolution.

Proponents' Testimony:

REP. JAY STOVALL, HD 16, BILLINGS. I would like to stand in support of this resolution. We need to work together for the benefit of all. I ask for your favorable vote.

REP. FRANK SMITH, HD 98, POPLAR. I don't support many bills, but I believe in this resolution. I believe in economics and we can make it work if we work together. I like her proposal very much. I would like to see someone who knows tribal programs be on boards and commissions. We had 540 people working at A & S Industries at one time. Now we have 137. We finally bringing it back. We have \$980,000 in research and development on a machine two years ago. The only one who benefitted from that was Pacific Recycling. We couldn't get it out to the public. A lot of our reservations make a lot of products. It would be nice if we could take them and present them. Thank you.

Andy Poole, Department of Commerce. We rise in support of the resolution. There have been a number of activities that have been occurring between the Department and the various reservations in Montana. We operate programs that are intended to help all Montanans. We also help a number of Native American small businesses. We cannot grant money to Tribal Governments because of federal law. We do invest in businesses on reservations and in communities near or on reservations. The state works with the reservations but there is more than can be done. This resolution needs your support. In terms of trade

missions the state participates in, the state does not provide funding for people to participate. All participants need to pay their own way. Thank you.

{Tape : 1; Side : B; Approx. Time Counter : 0; Steve Bullock's name and Department were not recorded on the tape.}

Steve Bullock, Department of Justice. The Attorney General must approve all state-tribal cooperative agreements. Such agreements, between the state and a tribe or between a county and a tribe, are a great way of coordinating scarce resources in rural areas to best deliver needed governmental services to Montana citizens. Such cooperative agreements are logical vehicles for local governmental cooperation in business incubator or business informational type services which often result from the activities of the types of state commissions referred to in this resolution. Additionally, the Department remains concerned as crime on the reservations is a serious problem in Montana. While we cannot do much in that area, since much of it is outside the state's jurisdiction, we are interested in working with the tribes and the federal government to find solutions. One proven solution to combat crime in areas of high unemployment and poverty is economic development.

Montana's tribes are already faced with the same barriers to economic development in common with other remote and rural areas in Montana. Further barriers include misunderstandings of the nature and workings of tribal governments. In the past, there has been perhaps insufficient communication between the state economic development commissions and resources and the Tribal Governments. The need for sustainable economic development on and around Indian reservations is most acute.

We also believe this should be a resolution for all Montanans. Economic development in Indian Country is vital to Montana's economy as well as to the tribal members and reservation residents, all of whom are Montana residents. The tribes represent a key part of Montana, and present a unique viewpoint which should have a voice on economic development commissions and trade missions. Such representation will benefit the commissions overall and hopefully provide some long needed additional communication and cooperation between the state and the tribal governments here in Montana. We urge your support of this resolution.

Opponents' Testimony: None

Questions from Committee Members and Responses:

SEN. HERTEL asked **REP. JUNEAU** about the statutes in the books that already addressed some of the issues in the resolution. What do you think the resolution will do that is not already being addressed? **REP. JUNEAU** asked the committee to look at the last page of **EXHIBIT 1**. This addresses the relationship of the Department of Commerce to the Indian tribal communities. It doesn't address some of the specific things such as encouraging people to go on the trade missions. The resolution is designed to provide some additional support for the implementation of some of these things and further expand the area of economic development between tribes and the state.

Closing by Sponsor:

REP. JUNEAU closed. Economic development is critical to the state and to the reservation communities. The resolution is a positive way to address some of these issues and I encourage you to give it a Do Concur. **SEN. ROUSH** will carry the bill on the Senate Floor.

{Tape : 1; Side : B; Approx. Time Counter : 4.1}

HEARING ON HJR 32

Sponsor: **REP. PAUL SLITER, HD 76, SOMERS**

Proponents: **Gary Marbut, Missoula**
Steve White, Bozeman

Opponents: **None**

Opening Statement by Sponsor:

REP. PAUL SLITTER, HD 76, SOMERS. I bring you this resolution as a result of the House Business & Labor Committee. Early in the session, the Committee conducted a full morning of hearings dealing with a potential problem that we face at the turn of the century. It has become known as Y2K. The Committee determined to draft a resolution simply to notify our counties, cities and towns that there is a potential problem with the computers and potential disruption of goods and services. We don't want to throw anyone into a panic. The language is mild but it does let the communities know about the potential problems and they should encourage the citizens to educate themselves and take what steps they feel is necessary to cope. I urge you to give a Do Concur.

Proponents' Testimony:

Gary Marbut, Missoula. I am working with a group called The Montana Citizens Y2K Council. We were interested to see if the legislature would be willing to put something out to the people of Montana. We had the hearing and we organized the people to come and speak about Y2K.

Thirty years ago when computers were being designed, space was at a premium. In order to save this space, they used only the last two digits. The result is there are many computers that will not recognize the change to the year 2000. There is a potential for disruption of goods and services because these goods and services are dependent upon computers themselves. These chips run security systems, medical devices, electrical distribution systems, automobiles, etc. Many companies are investing a lot of money and trying to fix the problem. There are some successes but there are some not doing so well. Montana government computers, we are told, are in fairly good shape. The only problem then is that the rest of the world will affect what happens here in Montana. The bottom line is that there is a 30% chance that we will not notice any effects. There is a 25% chance that we will be without power, energy, food and communications for a period of 2 weeks to 2-3 months. And in between those two figures there may be some slow downs in businesses. I may not be able to get some of the essential parts for my manufacturing business. There may be some economical downturns. The U.S. Senate has a Y2K committee and they have taken a lot of testimony. They tell people not to say the sky is falling, but be Paul Revere and warn people to be cautious. To be somewhat prepared, at the least, is not a bad idea. This warning is no more out of place than if you would warn the people of a severe winter storm or earthquake or some other catastrophe. This one is definitely pinpointed time wise. The resolution before you does what the Red Cross is advising. We hope you will give this a Do Concur. Thank you.

{Tape : 1; Side : B; Approx. Time Counter : 11.7}

Steve White, Bozeman. He gave his testimony and handed in a written copy **EXHIBIT (bus66a03)**.

Opponents' Testimony: None

{Tape : 1; Side : B; Approx. Time Counter : 20.1}

Questions from Committee Members and Responses:

SEN. COCCHIARELLA asked **Steve White** if he had information about the interaction between state and counties, etc. and where the state is at. **Mr. Jeff Brand, Information Services Division,** said

that his group has been working on this problem for about four years. As of March 1, his group was at 64% compliant and should be in full compliance by August or September. The group looks at interfaces where one group of government talks to another. They have been working through MACo, Montana Associations of Counties, to address the systems at the county levels.

SEN. COCCHIARELLA asked about the small businesses and is there a support mechanism set up to help them? **REP. SLITER** said he hoped that the companies who sell the computers would be able to help their customers. As far as being able to cope with the situation, the Disaster and Emergency Services is putting out information and pamphlets on what can be done to ease the blow if there is a disruption in goods and services. If this resolution passes, the Secretary of State is directed to notify each of the counties and cities and towns that a copy of the resolution was passed at the legislature.

SEN. SPRAGUE asked about how to network the ideas. Possibly menus of ideas could be put together and sent out to counties, etc. and on to businesses and people in general. **REP. SLITER** said that anything is possible on the computer. All kinds of information is on the network. Anything that could be put together here at this level is already on the Internet.

SEN. COCCHIARELLA asked **Mr. Brand** if there is a vehicle available to put this information on the Internet for the people of Montana. **Mr. Brand** said there are a number of things that could be done to avoid the budgetary problems. This information could be posted on the state's home page and be available to all who access this home page. There could be other ways also.

Mr. Bart Campbell said there is a spot on the Montana home page that says "Y2K", but is not aware of what it says. **Mr. Brand** said that it states what the efforts are of Montana concerning the Y2K situation. Something could be done right at the point on the Montana home page.

SEN. THOMAS said that one could e-mail it to everyone who wanted the information.

SEN. HERTEL asked what the real importance of this resolution is. After hearing the testimony today, do you feel that this is really needed and would it really do anything more than what is already being done? **REP. SLITER** said that he felt those who owned computers are the ones who least need this resolution. It is the people who don't know we may all lose power, supplies, communications, etc. They are the ones we need to alert. If this resolution does not pass, the legislature will be negligent

in their duties to warn the people of the possible consequences of Y2K. Let's not take a chance with this.

Closing by Sponsor:

REP. SLITER closed. We have explored this issue sufficiently and won't take anymore of your time. I would urge a Do Concur.

{Tape : 1; Side : B; Approx. Time Counter : 37.7}

EXECUTIVE ACTION ON HB 504

Motion: SEN. THOMAS moved that HB 504 BE CONCURRED IN.

Discussion: **Motion:** SEN. THOMAS moved that HB 504 BE AMENDED **EXHIBIT** (bus66a04) .

Discussion: **Bart Campbell** said these amendments were requested by the sponsor. It concerns the 12 month issue.

Vote: Motion that HB 504 BE AMENDED carried unanimously. 7-0

Motion/Vote: SEN. THOMAS moved that HB 504 BE CONCURRED IN AS AMENDED. Motion carried unanimously. 7-0

SEN. THOMAS will carry the bill on the Senate Floor.

EXECUTIVE ACTION ON HB 337

Motion: SEN. MCCARTHY moved that HB 337 BE CONCURRED IN.

Discussion: **Motion:** SEN. THOMAS moved that HB 337 BE AMENDED **EXHIBIT** (bus66a05) .

Discussion: **Mr. Campbell** said these amendments are from **SEN. THOMAS**. **SEN. THOMAS** said the University System will be allowed to go directly to the market and buy their own power without going through the Department of Administration. This was brought to him by the University System and he told them he would find a place for this clarification. **SEN. COCCHIARELLA** said this topic was discussed in the last session when the deregulation of the

utilities was being passed through the legislature. Every time the University makes a savings or adjustments, etc., the legislature takes the money back. **SEN. THOMAS** said that the intent in SB 390 was to let these entities do their own thing. The old law wasn't clear who would do it for them. This amendment allows them to do their own thing.

{Tape : 2; Side : A; Approx. Time Counter : 0}

Vote: Motion that HB 337 BE AMENDED carried unanimously. 7-0

Motion/Vote: SEN. THOMAS moved that HB 337 BE CONCURRED IN AS AMENDED. Motion carried unanimously. 7-0

SEN. THOMAS will carry the bill on the Senate Floor.

{Tape : 2; Side : A; Approx. Time Counter : 1.7}

EXECUTIVE ACTION ON HB 277

Motion/Vote: SEN. MCCARTHY moved that HB 277 BE CONCURRED IN. Motion carried unanimously. 7-0

SEN. MCCARTHY will carry the bill on the Senate Floor.

EXECUTIVE ACTION ON HJR 6

Motion/Vote: SEN. SPRAGUE moved that HJR 6 BE CONCURRED IN. Motion carried unanimously. 7-0

SEN. TESTER will carry the bill on the Senate Floor.

{Tape : 2; Side : A; Approx. Time Counter : 2.6}

EXECUTIVE ACTION ON HJR 15

Motion/Vote: SEN. ROUSH moved that HJR 15 BE CONCURRED IN. Motion carried unanimously. 7-0

SEN. SPRAGUE will carry the bill on the Senate Floor.

{Tape : 2; Side : A; Approx. Time Counter : 3.3}

EXECUTIVE ACTION ON HJR 24

Motion/Vote: SEN. COCCHIARELLA moved that HJR 24 BE CONCURRED IN. Motion carried unanimously. 7-0

SEN. ROUSH will carry the bill on the Senate Floor.

EXECUTIVE ACTION ON HJR 32

Motion: SEN. SPRAGUE moved that HJR 32 BE CONCURRED IN.

Discussion: Motion/Vote: SEN. MCCARTHY moved that HJR 32 BE TABLED. Motion carried 4-3 with SENATORS COCCHIARELLA, BERRY AND SPRAGUE voting no.

ADJOURNMENT

Adjournment: 11:00 A.M.

SEN. JOHN HERTEL, Chairman

MARY GAY WELLS, Secretary

JH/MGW

EXHIBIT (bus66aad)